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Application Serial No.: 10/736,994 Attorney Docket No.: 2C03.1-332 Ciba Docket No.: CL/V-33553A/CIP/CVA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PAUL, Edward L., Jr.
)
Group Art Unit: N/A
Serial No.: 10/736,994
)
Examiner: N/A
Filed: December 15, 2003
)
For: "METHOD AND APPARATUS FOR
)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PERFORMING MICROCURRENT STIMULATION (MSC) THERAPY"

GARDNER GROFF, P.C. Paper Mill Village, Building 23 600 Village Trace, Suite 300 Marietta, GA 30067

June 8, 2004

Sir:

Submitted herewith on form PTO/SB/08a&b is a listing of documents known to applicants and/or their attorneys in compliance with the requirements of 37 C.F.R. § 1.56. Consideration of the cited documents and making the same of record in the prosecution of the above-noted application are respectfully requested. Copies of the U.S. patent documents are not enclosed. 37 C.F.R. § 1.98(d). Copies of non-patent documents are enclosed.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. § 1.97(h)) or statutory prior art, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

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PATENT

No fee is believed to be due, as this Information Disclosure Statement is submitted within three months of the filing date or before receipt of a first office action on the merits. 37 C.F.R. § 1.97(b). However, if any extension of time is necessary to render this filing timely, please consider this a request therefor. The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

Respectfully submitted,

Daniel J. Santos

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Carla Stone

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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Complete if Known

December 15, 2003

10/736,994

42C03.1-332

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Application Number

Attorney Docket Number

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Substitute 10 10mm 1449A/PTO

Sheet

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JUN 14 2004

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary) of

First Named Inventor PAUL, Edward L. Jr. Art Unit N/A Examiner Name N/A

			U.S. PATENT	DOCUMENTS	
Examiner Initials *	Cite No.1	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevantes or Relevantes Figures Appear
	A	US-Re 35,987	12-08-1998	HARRIS et al.	rigures Appear
-	В	US- 4,712,558	12-15-1987	KIDD et al.	
	С	US- 4,989,605	02-05-1991	ROSSEN	
	D	US- 5,109,847	05-05-1992	LISS et al.	
	Ε	US- 5,314,423	05-24-1994	SENEY	
	F	US- 5,324,317	06-28-1994	REISS	
	G	US- 5,397,338	03-14-1995	GREY et al.	
	Н	US- 5,447,526	09-05-1995	KARSDON	
	1	US- 5,522,864	06-04-1996	WALLACE et al.	
	J	US- 5,549,656	08-27-1996	REISS	
	К	US- 5,571,150	11-05-1996	WERNICKE et al.	
	L	US- 5,611,350	03-18-1997	JOHN	
	М	US- 5,702,428	12-30-1997	TIPPEY et al.	
	N	US- 5,713,940	02-03-1998	KARSDON	
	0	US- 5,800,458	09-01-1998	WINGROVE	
	Р	US- 5,851,223	12-22-1998	LISS et al.	
	Q	US- 5,935,156	08-10-1999	CHANDLER et al.	
	R	US- 5,964,789	10-12-1999	KARSDON	
	s	US- 6,035,236	03-07-2000	JARDING et al.	
· · · · · · · · · · · · · · · · · · ·	T	US- 6,066,163	05-23-2000	JOHN	

		FOREIGN PA	TENT DOCU	MENTS		
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶

Examiner Signature	 Date Considered	

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitut	te for form 1449A/PT	0		Complete if Known
			Application Number	10/736,994
INFO	DRMATION	DISCLOSURE	Filing Date	December 15, 2003
STA	TEMENT B	Y APPLICANT	First Named Inventor	PAUL, Edward L. Jr.
			Art Unit	N/A
	(Use as many sh	eets as necessary)	Examiner Name	N/A
Sheet	2	of 4	Attorney Docket Number	42C03.1-332

			U.S. PATENT	DOCUMENTS	
Examiner	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
Initials *	No.	Number - Kind Code ² (if known)	MM-DD-1111		Figures Appear
	U	US-6,219,578 B1	04-17-2001	COLLINS et al.	
	٧	US- 6,275,735 B1	08-14-2001	JARDING et al.	
-	W	US- 6,393,319 B1	05-21-2002	BOCK et al.	
	X	US- 6,445,955 B1	09-03-2002	MICHELSON et al.	
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		FOREIGN PA	TENT DOCU	MENTS		
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T⁵

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Examiner Signature	Date Considered	

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Substitute	for form 144	9B/PTO			Complete if Known		
		011 D		01 001105	Application Number	10/736,994	
				CLOSURE	Filing Date	December 15, 2003	
STAT	TEMEN	T BY	AF	PPLICANT	First Named Inventor	PAUL, Edward L., Jr.	
					Art Unit	N/A	
	(Use as ma	ny sheets	ası	necessary)	Examiner Name	N/A	
Sheet	3	T	of	4	Attorney Docket Number	2C03.1-332	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	Y	Allen et al., "Macular Degeneration Treatment with Nutrients and Micro Current Electricity," Journal of Orthomolecular Medicine, 4 th Quarther 1998, Vol. 13, No. 4.	
	z	Michael et al., "Nutritional Supplementation, Electrical Stimulation and Age Related Macular Degenaration," Indiana School of Optometry.	
	AA	Paul May, "Adenosie Triphosphate - ATP," Bristol University	
	АВ	Cheng et al., "The Effects of Electrical Currents on ATP Generation, Protein Synthesis, and Membrane Transport in Rat Skin," Clinical Orthopedics and Related Research, No. 171, NovDec. 1982, pp. 264-272.	
-	AC	Feher et al., "Mitotropic Compounds for the Treatment of Age Related Macular Degeneration, The Metabolic Approach and a Pilot Study," Ophthalmologica 2003:217, pp. 351-357.	
	AD	Optogon Corporation, "Making Microcurrent Stimulation Avaiable to the Victims of Macular Degeneration," http://www.optogon.com.	
	AE	Micro Stim, "Transcutaneous Electrical Nerve Stimulation System, LED (Light Emitting Diode) Electrode System," Patient and Clinician Instruction Manual, pp. 1-13.	
	AF	Carley et al., "Electrotherapy for Acceleration of Would Healing: Low Intensity Direct Current," Arch Phys Med Rehabil, Vol. 66, Issue 7, July 1985, pp. 443-446.	
	AG	Wolcott et al., "Accelerated Healing of Skin Ulcers by Electrotherapy: Preliminary Clinical Results," Southern Medical Journal, Vol. 62, issue 7, July 1969, pp. 795-801.	
	АН	Gault et al., "Use of Low Intensity Direct Current in Management of Ischemic Skin Ulcers," Physical Therapy, Vol. 56, No. 3, March 1976, pp. 265-269.	
	AI	Ohno, T., "Experimental Studies of Influences on Healing Process of Mandibular Defect Stimulated by Microcurrent," Shikwa Gakuho, Journal of the Tokyo Dental College, Vol. 82, No. 9, Sept. 1982, pp. 1323-1353 (with English Abstract).	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

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Substitute	e for form 1449B/F	то	·		Complete if Known
			01 001105	Application Number	10/736,994
		_	CLOSURE	Filing Date	December 15, 2003
STAT	rement	BY A	PPLICANT	First Named Inventor	PAUL, Edward L., Jr.
				Art Unit	N/A
	(Use as many s	sheets as	necessary)	Examiner Name	N/A
Sheet	4	of	4	Attorney Docket Number	2C03.1-332

	,	NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	AJ	Sinitzyn, et al., "Effect of Electrical Microcurrents on the Regeneration Processes in Skin Wounds, "Ortopediia Travmatologiia i Protezirovanie, Vol. 1986, No. 2, Feb. 1986, pp. 25-28 (with English Abstract).	
	AK	Nessler et al., "Direct-Current Electrical Stimulation of Tendon Healing in Vitro," Clinical Orthopaedics and Related Research, No. 217, April 1987, pp. 303-312	
	AL	Owoeye et al., "Low-Intensity Pulsed Galvanic Current and the Healing of Tenotomized Rat Achilles Tendons: Preliminary Report Using Load-to Breaking Measurements, "Archives of Physical Medicine and Rehabilitation, Vol. 68, No. 7, July 1987, pp. 415-418.	
	АМ	Altman, L.K., "Cell Channel Finding Earns Nobel Prize: Two Germans Found How Cells Control Their Electrical State," New York Times, Oct. 8, 1991, pp. C1, C3: Science Times Section.	
	AN	Richez, et al., "Bone Changes Due to Pulses of Direct Electrical Microcurrent," Virchows ArchivA: Pathology, Pathologische Anatomie, Vol. 357, No. 1, 1972, pp. 11-18.	
•	AO	Byl et al., "Pulsed Microamperage Stimulation: A Controlled Study of Healing of Surgically Induced Wounds in Yucatan Pigs," Physical Therapy, Vol. 74, No. 3, March 1994, pp. 201-218.	,
	AP	Bertolucci et al., "Clinical Comparative Study of Microcurrent Electrical Stimulation to Mid-Laser and Placebo Treatment in Degenerative Joint Disease of the Temporomandibular Joint," Journal of Craniomandibular Practice, Vol. 13, No. 2, April 1995, pp. 116-120.	
	AQ	Wing, Thomas W., M.D., "Can ELF Help Your Patients?" Chiropractic Economics, March/April 1987.	

Examiner	Da	ate	
Signature	Co	onsidered	

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